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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/743,321	12/23/2003	Peter Elms	86769-0026 US	5565
30398	7590	05/21/2007		
ACCENTURE, LLP C/O HOGAN & HARTSON, LLP (IPGROUP) 555 13TH STREET NW, SUITE 600E WASHINGTON, DC 20004			EXAMINER PARTHASARATHY, PRAMILA	
			ART UNIT 2136	PAPER NUMBER
			MAIL DATE 05/21/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/743,321

Applicant(s)

ELMS ET AL.

Examiner

Pramila Parthasarathy

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 13 January 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-41 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☒ Claim(s) 1-41 are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)                        | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**Detailed Action**

1. This action is in response to communication filed on 01/13/2006. Claims 1 – 41 are pending.

***Election/Restrictions***

2. Restriction to one of the following inventions is required under 35 U.S.C. 121:
  - I. Claims 1 – 17, 18 and 24 – 30 are drawn to providing a secure electronic registration and voting system classified in **class 726, subclass 17**.
  - II. Claims 19, 20 and 21 – 23, are drawn to a method of identifying and authorizing a user with digital signature classified in **class 713, subclass 176**.
  - III. Claims 31 – 35, are drawn to a method for creating a ballot classified in **class 725, subclass 235**.
  - IV. Claims 36 – 41, are drawn to a method for voting classified in **class 235, subclass 51**.
3. Inventions I, II, III and IV are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention I has separate

utility such as proving a secure electronic registration and voting system, classified in a *different Class/Subclass*. Invention II has separate utility such as identifying and authorizing a user with digital signature, classified in a *different Class/Subclass*. In the instant case, invention III has separate utility such as creating a ballot, classified in a *different Class/Subclass*. Invention IV has separate utility such as a method for voting, classified in a *different Class/Subclass*. See MPEP 806.05(d).

1. The inventions are distinct, each from the other, because of the following reasons:

(a) These inventions have acquired a separate status in the art as shown by their different classifications.

(b) The search required for each Group is different and not co-extensive for examination purposes.

For example, the searches for the two inventions would not be co-extensive because these Groups would require different searches on PTO's classification class and subclass as following:

The Group I search (Claims 1 – 17, 18 and 24 - 30 would require use of search **class 726, subclass 17** (not require for the inventions II).

The Group I search (Claims 1 – 17, 18 and 24 - 30 would require use of search **class 726, subclass 17** (not require for the inventions III).

The Group I search (Claims 1 – 17, 18 and 24 – 30) would require use of search **class 726, subclass 17** (not require for the inventions IV).

The Group II search (Claims 19, 20 and 21 – 23) would require use of search **class 713, subclass 176** (not require for the inventions I).

The Group II search (Claims 19, 20 and 21 – 23) would require use of search **class 713, subclass 176** (not require for the inventions III).

The Group II search (Claims 19, 20 and 21 – 23) would require use of search **class 713, subclass 176** (not require for the inventions IV).

The Group III search (Claims 31 – 35) would require use of search **class 725, subclass 235** (not require for the inventions I).

The Group III search (Claims 14 – 19 and 20 – 22) would require use of search **class 725, subclass 235** (not require for the inventions II).

The Group III search (Claims 14 – 19 and 20 – 22) would require use of search **class 725, subclass 235** (not require for the inventions IV).

The Group IV search (claims 23 – 25) would require use of search **class 235, subclass 51** (not require for the inventions I).

The Group IV search (claims 23 – 25) would require use of search **class 235, subclass 51** (not require for the inventions II).

The Group IV search (claims 23 – 25) would require use of search **class 235, subclass 51** (not require for the inventions III).

For the reasons given above restriction for examination purposes as indicated is proper.

4. Application is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48 (b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a petition under 37 CFR 1.48 (b) and by the fee required under 37 CFR 1.17 (h).

### ***Conclusion***

5. A shortened statutory period for reply is set to expire **THIRTY DAYS** from the mailing date of this communication. Failure to respond within the period of response will cause the application to become abandoned (35 U.S.C. Sect. 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(A).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Pramila Parthasarathy whose telephone number is 571-272-3866. The examiner can normally be reached on 8:00a.m. To 5:00p.m.. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nasser Moazzami can be reached on 571-232-4195. Any inquiry of a general nature or

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relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR only. For more information about the PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Pramila Parthasarathy

May 13, 2007.

A handwritten signature in black ink, appearing to be 'Pramila Parthasarathy', written over a horizontal line.